

**In the United States District Court
for the Southern District of Georgia
Brunswick Division**

JASON CHRISTOPHER WALKER

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Petitioner,

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2:13cv-00106-LGW-RSB

2:10cr00056-LGW-JEG-1

-VS-

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UNITED STATES OF AMERICA

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Respondent.

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ORDER

On March 17, 2015, the Eleventh Circuit requested this Court to make a factual determination as to when Appellant Walker first filed a notice of appeal of this Court's August 12, 2014 final judgment denying his motion to vacate.

The only notice of appeal received by this Court was one dated October 16, 2014. No notices of appeal were received by this Court, either from the Appellant or the Eleventh Circuit, prior to October of 2014. Apparently, Walker contends he sent earlier notices of appeal to the Eleventh Circuit; however, the earliest notice received by this Court was the one filed on October 21, 2014.

As requested by the Eleventh Circuit, this Court returns the record, as supplemented, to the Circuit for future proceedings on Walker's 28 U.S.C. § 2255 appeal.

By way of information, this Court notes that in 2015, the United States Attorney revealed certain Giglio information that should have been disclosed to the Appellant/Defendant Walker and other defendants in similar cases at their trials. As a result, Walker, along with other

defendants in separate cases, moved for a new trial [2:10cr56 (Dkt. No. 136)]. An omnibus hearing was held. The United States agrees that a new trial is just and waives the Rule 33 time limit.

The undersigned humbly notes that if and once jurisdiction is returned, the undersigned will schedule a new trial for Walker based on the newly revealed Giglio information. The purpose of bringing this to the Circuit's attention is in no way to stretch the undersigned's jurisdiction or seek to invade the Circuit's jurisdiction. To the contrary, the information is imparted in the interest of justice and out of respect for Walker's unopposed and meritorious request for new trial.

The Clerk of this Court is directed to return this case to the Eleventh Circuit pursuant to that Court's request.

SO ORDERED this 25TH day of March, 2015.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA